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2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

15 June 2005

Original: English

Summary record of the 10th meeting
Held at Headquarters, New York, on Friday, 6 May 2005, at 3 p.m.

President: Mr. de Queiroz Duarte ..... (Brazil)

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General debate (*continued*)

Election of Vice-Presidents

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05-33595 (E)

The meeting was called to order at 3.15 p.m.

General debate (*continued*)

1. **Mr. Ugarte** (Costa Rica) said that, while the declared nuclear Powers and other States with nuclear capability or aspirations were mainly responsible for the lack of progress in non-proliferation and disarmament since the 2000 Review Conference, the responsibility was shared to some extent by all States. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) had no active mechanism for implementation except the Review Conferences held every five years. His delegation therefore supported the proposal contained in the working paper of Canada (NPT/CONF.2005/PC.III/WP.1) to hold annual meetings to take any necessary action on issues relating to the Treaty and to authorize the Bureau to call emergency sessions in the event of a threat to its integrity or viability.

2. The Treaty also lacked mechanisms for verification and execution, with the exception of article III, which required States parties to sign safeguards agreements with the International Atomic Energy Agency (IAEA). Although the Treaty did not expressly give a mandate to the Security Council, the Statute of the IAEA gave its Board of Governors the authority to refer cases of non-compliance with safeguards to the Security Council. Although the case of the Democratic People's Republic of Korea had been brought before the Security Council in 1993 and 2003, it had taken no action because of divergent views among the five permanent members. The adoption of resolution 1540 (2004) had been a positive step, but it should be borne in mind that the Council could adopt binding measures only with reference to specific situations or disputes. The additional protocols were essential for transparency and mutual trust, but regrettably only 66 States had signed such instruments, and of the 77 States with significant nuclear programmes 11 still had not signed a protocol. The international community must establish more rigorous verification systems through every available legal avenue.

3. The slow progress in implementing the 13 practical steps adopted at the 2000 Review Conference was a cause for concern, as was the lack of commitment shown by the nuclear Powers in the area of disarmament. Costa Rica called for the de-alerting and dismantling of nuclear arsenals and rejected any justification for delay based on the concept of nuclear deterrence. Such reasoning ran counter to the Treaty and undermined efforts to achieve non-proliferation.

4. The Treaty of Tlatelolco, establishing the first inhabited region free of nuclear weapons, was an example to the world. Costa Rica encouraged efforts to establish such zones in Central Asia and the Middle East.

5. As the first country to comply fully with General Assembly resolution 41 (I) of 14 December 1946 on Principles governing the general regulation and reduction of armaments, Costa Rica welcomed the advisory opinion of the International Court of Justice to the effect that an obligation existed to hold negotiations in good faith aimed at achieving complete nuclear disarmament under a strict and effective international verification system. It deeply regretted that neither the resolution nor the Court's opinion had been implemented and would therefore, along with the delegation of Malaysia, once again submit a working paper to follow up on the Court's opinion.

6. In conclusion, he expressed his delegation's unconditional support for the recommendations contained in the Secretary-General's report "In larger freedom", which provided a framework for action for replacing a peace based on the deterrent power of terror with a genuine peace.

7. **Mr. Celarie** (El Salvador) said that, especially in the years since the 2001 terrorist attacks on the United States of America, a transition had taken place towards a new global consensus on security, which had come to be viewed as interdependent with human rights, peace, development and democracy. Only through collective action could the international community respond immediately and effectively to global problems.

8. However, the aspirations of the majority of States to a world free from fear and the threat of weapons of mass destruction had to contend with the real world, where some States had the ability and advanced technological development to design new and more powerful weapons of mass destruction, including nuclear weapons. Those States supported and implemented their doctrines and policies through military might, to the detriment of the common interests of humanity.

9. From the point of view of his delegation, a more secure world for both nuclear-weapon and non-nuclear-

weapon States could be achieved only through the total elimination of nuclear and other weapons of mass destruction. The United Nations could not be held responsible for the lack of progress in disarmament, as it must be stressed that the Member States were truly responsible for their actions and must demonstrate the political will to reach that objective. If denuclearization was to succeed, all States must comply fully with the treaties they had signed and must take new steps to revitalize the multilateral framework to address those threats. Moreover, Security Council resolution 1540 (2004) should provide a basis for negotiating a binding international instrument to prevent non-State actors from gaining access to weapons of mass destruction.

10. It should always be kept in mind that the entire planet would be affected by the devastating effects of nuclear weapons. There would be no winners or losers in a nuclear conflict; no political objective could justify their use. Therefore, nuclear disarmament should be an absolute and universal priority.

11. In conclusion, he paid tribute to the Government of Mexico for hosting the first Conference of States Parties and Signatories to Treaties establishing Nuclear-Weapon-Free Zones.

Election of Vice-Presidents

12. **The President** said that the Group of Non-Aligned and Other States had endorsed the candidacy of Gabon for the post of Vice-President.

13. *The candidacy of Gabon for the post of Vice-President of the Conference was approved.*

The meeting rose at 3.50 p.m.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

16 June 2005

Original: English

Summary record of the 11th meeting
Held at Headquarters, New York, on Tuesday, 10 May 2005, at 10 a.m.

President:	Mr. de Queiroz Duarte	(Brazil)
later:	Mr. Heinsberg (Vice-President)	(Germany)
later:	Mr. de Queiroz Duarte	(Brazil)

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General debate (*continued*)

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05-33965 (E)

The meeting was called to order at 10.10 a.m.

General debate (*continued*)

1. **Mr. Baichorov** (Belarus) said that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remained the fundamental key to the maintenance of international security. Although the incremental approach to nuclear disarmament was both realistic and balanced, it should not be regarded as a justification for inaction or for actions that were incompatible with the Treaty. The continued development of new nuclear weapons and defensive doctrines rationalizing their use were not consistent with the Treaty's strategic goals.

2. The lack of progress towards fulfilment of the 13 steps on nuclear disarmament agreed at the 2000 Review Conference was a matter for serious concern, and it was regrettable that only limited progress had been made in bringing the Comprehensive Nuclear-Test-Ban Treaty (CTBT) into force. Moreover, the Conference on Disarmament should immediately open negotiations on: a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices; nuclear disarmament; negative security assurances; and prevention of an arms race in outer space.

3. Belarus deeply regretted the decision of the Democratic People's Republic of Korea to withdraw from the NPT. That country's renewed participation in the Treaty should be resolved solely on the basis of international law. Efforts to promote accession to the Treaty by States operating non-safeguarded nuclear facilities had proved futile, but the provision of negative security assurances to non-nuclear-weapon States might offer such States an additional incentive. The accession to the Treaty of Cuba and Timor-Leste was a welcome development.

4. The decision of Belarus to renounce its military nuclear capabilities made sense only if all the States parties implemented their obligations under the Treaty on an unconditional basis and if nothing undermined the role of the International Atomic Energy Agency (IAEA) in verifying States' compliance with their commitments. Belarus strongly supported initiatives aimed at strengthening the nuclear non-proliferation regime and attached great importance to the introduction of the safeguards system based on additional protocols to safeguards agreements.

5. States parties to the Treaty should adapt their non-proliferation strategies and tactics to emerging threats and challenges, particularly the growing threat of the acquisition of nuclear weapons by non-State actors, including terrorist organizations, as well as the emergence of black markets for nuclear and missile technologies. Additional arrangements should be made to control the spread of dual-use materials and technologies which might be used for nuclear-weapons-related purposes. Belarus was ready to cooperate fully with the United Nations Security Council committee established pursuant to resolution 1540 (2004), and it welcomed other international instruments such as the Proliferation Security Initiative and the Russian Federation's initiative for the development of nuclear technologies capable of resisting proliferation.

6. Belarus recognized the specific role of international export-control regimes as an effective means for containing the proliferation of materials, equipment and related technologies that could be used to produce nuclear weapons, and fully adhered to the guidelines of the Nuclear Suppliers Group.

7. **Mr. Kittikhoun** (Lao People's Democratic Republic) said that the current international situation was far from stable because the commitment made by the international community in 1970 had not been fulfilled. Nuclear weapons had grown significantly in quantity and quality, and the rise in the number of nuclear-weapon States posed a grave danger to international peace and security and increased the risk that weapons of mass destruction would fall into the hands of terrorists. All States concerned should therefore make significant efforts to conclude negotiations leading to comprehensive nuclear disarmament.

8. Although in 1995 the non-nuclear-weapon States had agreed not to develop or acquire nuclear weapons, and the nuclear-weapon States had agreed to achieve nuclear disarmament, the implementation of those agreements had left much to be desired. The NPT was crucial to efforts to halt the vertical and horizontal proliferation of nuclear weapons. The strategic-defence doctrine that set out the rationale for the use of nuclear weapons was a matter of considerable concern, and the unequivocal commitment made by nuclear-weapon States at the 2000 Review Conference to achieve the total elimination of their nuclear arsenals should be fully and effectively implemented.

9. It was regrettable that negotiations on banning the production of fissile materials for nuclear weapons and other explosive devices had not yet begun. The Conference on Disarmament should conclude negotiations on the fissile material cut-off treaty as soon as possible, and the proposal to establish an ad hoc committee on nuclear disarmament was a very welcome one. The 2005 Review Conference should lay the foundations for States parties to the NPT to negotiate and conclude a legally binding instrument to protect the non-nuclear-weapon States against the use or threat of use of nuclear weapons, and focus on the issue of security assurances.

10. The Lao People's Democratic Republic welcomed the outcome of the April 2005 Conference of States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and supported efforts to establish nuclear-weapon-free zones in all regions of the world. It was of urgent importance that the CTBT should enter into force and that all States not yet having done so should ratify the CTBT without delay. Non-proliferation control arrangements should be transparent and open to participation by all States and should not impose restrictions on access to the material, equipment and technology for peaceful purposes required by developing countries. States parties to the NPT had an inalienable right to develop, research, produce and use nuclear energy for peaceful purposes without discrimination, in accordance with article IV of the Treaty.

11. **Mr. Kariyawasam** (Sri Lanka) said that the NPT should not be exploited for the purpose of political posturing. Sixty years after the end of the Second World War, nuclear weapons continued to be developed and refined, and nuclear stockpiles included weapons thousands of times more powerful than those dropped on the cities of Hiroshima and Nagasaki; participants at the current Conference must bear those facts in mind. The successful outcome of the Conference depended on a balanced approach aimed at achieving the Treaty's three underlying goals of disarmament, non-proliferation and the right to peaceful uses of nuclear technology.

12. Participants might be guided in their deliberations by the relevant recommendations and observations contained in chapter V of the report of the High-level Panel on Threats, Challenges and Change, in the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005), and in the 1996 advisory opinion of the International Court of Justice, which had expanded the scope of article VI of the Treaty by insisting on States parties' obligation, not just to negotiate, but to negotiate towards a final conclusion.

13. The challenge facing the 2005 Conference was to narrow the gap between the commitments made in 2000 and the actual progress achieved in implementing the 13 steps on nuclear disarmament. Despite certain positive developments, such as Cuba's accession to the Treaty and the signing of the 2002 Strategic Offensive Reductions Treaty ("Moscow Treaty") by the United States of America and the Russian Federation, there were serious concerns about the implementation of several aspects of the Treaty.

14. Because of the relentless pace of globalization and technological progress, the success of any regional or global initiative depended on widespread legitimacy, which could be guaranteed only through multilateral actions implemented through the United Nations system. The international community must decide whether it was truly committed to the NPT regime and whether it had taken enough care to ensure due implementation of the Treaty in all its aspects. Conference participants should also consider whether the lack of a permanent or semi-permanent monitoring mechanism constituted an institutional deficit in the Treaty.

15. **Mr. Petersen** (Norway) said that, with the Treaty under serious strain and with new challenges to face, the necessary compromises must be made to ensure that the Review Conference produced a strengthened non-proliferation regime, building on the previous Review Conferences and reaffirming an undertaking to halt the spread of nuclear weapons. Failure was not an option.

16. The Treaty was almost universal, with only three countries outside it. Until they were brought into the NPT regime as non-nuclear-weapon States, they must be moved closer to it in pragmatic ways. One State party, the Democratic People's Republic of Korea, had announced its withdrawal from the Treaty. Withdrawal must not be seen as a practical formality that was without consequences. There were justified concerns about the nuclear programme of the Islamic Republic of Iran which could be resolved only by the satisfactory reporting of nuclear activities and full cooperation with IAEA.

17. The Conference should: call for Security Council resolution 1540 (2004) to be implemented in full, as it was crucial to efforts to prevent non-State actors from acquiring nuclear and other weapons of mass destruction; reaffirm that export controls were an essential instrument of non-proliferation, rejecting the false assumption that they impeded cooperation and the transfer of technology; and welcome the role of the Proliferation Security Initiative in upholding the non-proliferation regime.

18. Some countries feared that there was too little emphasis on the disarmament dimension of the Treaty, as opposed to the non-proliferation dimension. The Review Conference should strive for balance, but neither dimension should be hostage to the other. The more nuclear weapons and material that were available, the greater the chance that they would fall into the wrong hands, even into the hands of global terror networks. A moratorium on the production and use of highly enriched uranium for civilian use should be negotiated, with a total ban as a long-term objective. International efforts to secure and remove fissile material not under adequate control, such as the Group of Eight (G-8) Global Partnership against the Spread of Weapons and Materials of Mass Destruction, must continue. Disarmament and non-proliferation supported each other: irreversible and verifiable disarmament was one of the most important non-proliferation measures.

19. Early entry into force of the CTBT was essential to prevent the development of new weapons and diminish the role of nuclear weapons in security policies. Despite the considerable reduction in nuclear arsenals since the end of the cold war, more and deeper cuts were needed. Removing and destroying nuclear weapons was part of an effective and sustainable non-proliferation strategy. Moreover, greater transparency — through regular reporting on action to implement disarmament obligations — was essential to sustain the credibility of the Treaty. Reporting was an obligation, not a choice.

20. Verification was also crucial to the credibility of the non-proliferation regime. The Review Conference should send a clear message that the additional protocols to IAEA safeguards agreements were part of the verification standard and should become mandatory for all States parties. All relevant IAEA instruments on nuclear security and safety must be made universal. Civilian use of nuclear energy and technology must become fully resistant to proliferation, with better mechanisms for controlling the nuclear fuel cycle. The recent report from the IAEA expert group on multilateral approaches to the nuclear fuel cycle should guide those efforts.

21. The time had also come to start negotiations on a treaty banning the production of fissile materials for weapons purposes and also, ideally, addressing the issue of existing stocks. Pending such a treaty, all nuclear-weapon States should reaffirm their moratoriums on the production of fissile materials and place existing fissile material designated by each of them as no longer required for military purposes under IAEA arrangements for disposal.

22. Although the Treaty was a core pillar of collective global security, it lacked the institutional machinery to deal with new and emerging challenges as they arose. Meeting every five years was not enough. The States parties must take an ambitious approach to the Review Conference, and see it as an opportunity to roll back the erosion of confidence in the Treaty and move forward towards the goal of a more stable, safe and secure world.

23. **Ms. Laohaphan** (Thailand) said that there had been many developments since the previous Review Conference. On the positive side, Cuba and Timor-Leste had acceded to the Treaty, the Libyan Arab Jamahiriya had renounced its weapons of mass destruction programme, Mongolia had further institutionalized its nuclear-weapon-free status, negotiations on the nuclear programme of the Islamic Republic of Iran were continuing with France, Germany and the United Kingdom, and the General Assembly had adopted the International Convention for the Suppression of Acts of Nuclear Terrorism. On the negative side, the integrity of the Treaty and the broader nuclear disarmament and non-proliferation regime had been threatened by the withdrawal of the Democratic People's Republic of Korea, which also claimed to possess nuclear weapons, the discovery of A. Q. Khan's black market nuclear supply network, acts of terrorism throughout the world which raised concerns about the involvement of nuclear devices and weapons of mass destruction, and the lack of progress in implementing the 13 practical steps towards the elimination of nuclear arsenals.

24. Views on the course of action to cope effectively with new challenges diverged, with questions about whether disarmament measures should be implemented

as a prerequisite to non-proliferation measures or the other way round, resulting in a stalemate. Her delegation believed that both disarmament and non-proliferation should be addressed constructively on an equal footing. Both nuclear-weapon States and non-nuclear-weapon States were equally responsible for playing a role.

25. As a non-nuclear weapon State, Thailand had undertaken not to develop, acquire, test or transfer nuclear weapons and valued the part which the Treaty played in preventing proliferation of nuclear weapons, promoting disarmament and supporting peaceful use of nuclear energy. It not only supported the implementation of Security Council resolution 1540 (2004) but also cooperated fully with other friendly countries in opposing nuclear proliferation and illicit trafficking and improving export-control capacities. Non-State actors and terrorist groups must be prevented from acquiring nuclear and radioactive materials for non-peaceful uses. In that regard, Thailand was taking action to accede to the Convention on Physical Protection of Nuclear Material as rapidly as possible.

26. Additional protocols to IAEA safeguards agreements were a confidence-building measure and an effective method of international verification, providing assurances that nuclear equipment and dual-use goods were being put to peaceful uses. Thailand was finalizing domestic procedures for such an additional protocol. As a country benefiting from uses of nuclear energy for peaceful purposes, Thailand supported the right of all States to engage in research, production and utilization of nuclear energy for peaceful purposes without discrimination, as provided under article IV of the Treaty.

27. The CTBT reinforced the NPT and should enter into force as rapidly as possible. To that end, Thailand was in the process of completing domestic ratification procedures. Until the day when nuclear weapons could be eliminated, a universal, unconditional and legally binding instrument on negative security assurances to non-nuclear-weapon States would help to create a climate of trust among States parties. Her delegation supported rapid codification of security assurances, which was in keeping with the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons.

28. Nuclear-weapon-free zones were a means of preventing proliferation and promoting complete disarmament, and Thailand supported their establishment in every region, including Central Asia, South Asia and the Middle East. Thailand had joined the other members of the Association of South-East Asian Nations (ASEAN) in establishing the South-East Asia Nuclear-Weapon-Free Zone (SEANWFZ), and urged the nuclear-weapon States to accede to the Protocol to the SEANWFZ Treaty. It was important for the Democratic People's Republic of Korea, which had withdrawn from the Treaty, to return to the non-proliferation regime and resume safeguards activities. Thailand supported a peaceful solution to the issue in the six-party talks, and a nuclear-weapon-free Korean peninsula.

29. The validity and strength of the Treaty depended on political will. The States parties should set aside their preoccupations and reach agreement on concrete action, ensure that the existing obligations of the Treaty and all previous Review Conferences were fulfilled, and take steps to restore confidence and credibility by dealing effectively with new threats to the Treaty.

30. *Mr. Heinsberg (Germany), Vice-President, took the Chair.*

31. **Mr. Tafrov** (Bulgaria), said that the Treaty's significance as a constant stabilizing factor must be reiterated and efforts to challenge its integrity rejected. The substance of all three of its pillars must be re-examined with a view to giving the Review Conference a balanced outcome.

32. The recent increased risk of proliferation of nuclear weapons and their means of delivery was accompanied by the threat that non-State actors, might gain access to nuclear, radiological, chemical and biological weapons and sensitive material. The international community must at all costs ensure that such efforts had no chance of success. Security Council resolution 1540 (2004) must be effectively implemented. Bulgaria had contributed towards counter-measures by establishing an effective national export-control system, by participating in all multilateral export-control regimes and by joining the Proliferation Security Initiative.

33. Universalization of, and strict compliance with, the Treaty were vital means towards the same aim. The Review Conference must urgently consider the issue of

withdrawal from the Treaty. It must also reaffirm the necessity of the commitment to conclude IAEA safeguards agreements, including the additional protocol, which should be proclaimed an indispensable verification standard.

34. It was regrettable that the CTBT, a major instrument in strengthening non-proliferation and disarmament, had not yet entered into force. The Review Conference should reaffirm its significance, and all States should accede to it as early as possible. As another contribution to strengthening non-proliferation and disarmament, negotiations should begin for a non-discriminatory and comprehensive fissile material cut-off treaty. In addition, Bulgaria supported making the Middle East a nuclear-weapon-free zone, as such zones were confidence-building measures which played an important part in safeguarding regional peace and security.

35. Prince Zeid Ra'ad Zeid **Al-Hussein** (Jordan) said that the Treaty must be implemented strictly, with balanced and equal force applied in the case of all three pillars. The 13 practical steps for the implementation of article VI must be reaffirmed and even strengthened. Progress must be made on establishing criteria for monitoring compliance under article VI, and a calendar must be established to guide the effort. The CTBT must be brought into force without delay and negotiations must begin, without pre-conditions or linkages, for a fissile material cut-off treaty.

36. The States parties must reconcile themselves to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons. The Treaty must be made universal. Jordan once again joined the international community in demanding that its neighbour, Israel, the only Middle East country which was not a party to the Treaty, should accede to the NPT and place itself under full-scope IAEA safeguards. Jordan also hoped that India and Pakistan would do the same. All withdrawals from the Treaty were a cause for concern. Article IV of the Treaty remained important. Though there might be perceived security concerns regarding the nuclear fuel cycle, they would be viewed in the light of the overall lack of progress in implementing article VI.

37. Other steps should be taken to strengthen the non-proliferation regime. The Conference on Disarmament should establish a subsidiary body as soon as possible to draft a legally binding instrument on negative security assurances. A subsidiary body could also be set up to chart the course for a nuclear-weapon-free zone for the Middle East. The International Atomic Energy Agency should be strengthened and supported, particularly where its safeguards work was concerned.

38. **Mr. Kafando** (Burkina Faso) said that present circumstances had weakened the aims of the Treaty, with international security threatened by a headlong rush to produce weapons of mass destruction and small arms. Proliferation must be halted, first and foremost by careful monitoring. In that connection, the IAEA Code of Conduct on the Safety and Security of Radioactive Sources was a welcome step. Burkina Faso had unhesitatingly agreed to organize a regional seminar on non-proliferation for the members of the Economic Community of West African States (ECOWAS) in Ouagadougou in February 2004 and had called on the participants to accept IAEA safeguards, as a confidence-building measure.

39. Burkina Faso had itself acceded to the Treaty in the 1970s and the safeguards agreement and additional protocol which it had signed had entered into force in April 2003. It had also built up a legislative and regulatory structure governing nuclear security and protection from ionizing radiation, in order to provide the basis for effective monitoring of the peaceful use of nuclear materials.

40. Recent international developments demanded that multilateral cooperation on nuclear non-proliferation should be stepped up, preferably through a legal framework. The Conference must strengthen the Treaty without jeopardizing the right of States parties to put nuclear energy to peaceful uses.

41. **Ms. Aghajanian** (Armenia) said that the NPT had been a cornerstone for international security by mobilizing international efforts to prevent the spread of nuclear weapons. Much progress had been made since the previous Review Conference, including the accession of Cuba and Timor-Leste to the NPT, the establishment of a fully-fledged nuclear-weapon-free zone in Latin America and the Caribbean, with Cuba's accession to the Treaty of Tlatelolco, the encouraging efforts made by the Central Asian States to establish such a zone in their region, the entry into force of the Moscow Treaty and the decision by the Libyan Arab Jamahiriya to abandon its nuclear weapons programme. Many issues, however, remained unresolved. The entry

into force of the CTBT, for example, was still pending and negotiations had not yet begun on a fissile material cut-off treaty.

42. Nuclear safety was a priority for Armenia, which had been the first country of the Commonwealth of Independent States to sign a comprehensive safeguards agreement and additional protocol with IAEA. Her delegation supported the IAEA Director-General's statement that the current Conference should acknowledge that the additional protocol was an integral part of the Agency's safeguards. Her Government abided by its obligation under the Treaty to place all nuclear activities under IAEA safeguards. All States that used or were planning to use nuclear energy for peaceful purposes must be subject to IAEA monitoring.

43. Armenia fully endorsed the IAEA efforts to enhance the safety and security of radioactive sources. Her Government was committed to observing the Code of Conduct on the Safety and Security of Radioactive Sources and encouraged other States to do likewise. Armenia had submitted its national report at the third review meeting on the Convention on Nuclear Safety and had been commended for its open and transparent collaboration with IAEA. In addition, Armenia had been recognized as a participant in the global partnership against the spread of weapons and materials of mass destruction.

44. Efficient export controls had grown increasingly important with the rising threat of international terrorism compounded by the risk of proliferation of weapons of mass destruction through the acquisition of those weapons by non-State actors. International export control regimes played an important role in the promotion of disarmament and nuclear non-proliferation goals. Armenia had adopted legislation to strengthen its national export control system, incorporating international non-proliferation criteria into national law to guarantee the legitimate use and trade of dual-use items and technologies.

45. Disarmament and non-proliferation objectives could be achieved only through vigorous and concerted efforts at the bilateral, regional and international levels. The events of 11 September 2001 were a constant reminder of the need to step up efforts on disarmament, non-proliferation and arms control through strict observance of the existing international instruments and strengthening of multilateralism.

46. *Mr. de Queiroz Duarte* (*Brazil*), *President, resumed the Chair.*

47. **Mr. Al-Bader** (Qatar), speaking on behalf of the League of Arab States, said that conditions at the current Conference were different from those prevailing in 2000 and 1995. Despite some positive developments, there had been several setbacks to advancing the objectives of the Treaty, including the deadlock in the Conference on Disarmament, the lack of progress on the fissile material cut-off treaty, the continued existence of large nuclear arsenals, and the decision of a State to violate the basic principles of the non-proliferation regime. A balance must be struck between the three pillars of the NPT: disarmament, non-proliferation and guarantees for the peaceful use of nuclear energy. The non-proliferation aspect of the Treaty must not be emphasized at the expense of the two other aspects. The 13 practical steps adopted at the 2000 Conference should be taken to achieve a verifiable and irreversible reduction in nuclear weapons in the world. Furthermore, a legally binding instrument on negative security assurances to non-nuclear-weapon States should be pursued as a matter of priority by the international community. There was also a need for multilateral dialogue between nuclear-weapon and non-nuclear weapon States aimed at general and complete disarmament.

48. The League of Arab States supported the efforts of IAEA to strengthen safeguards through the mechanisms available under the additional protocols. There should be no interpretation of the Treaty that would jeopardize the inalienable right of States to develop research, production and use of nuclear energy for peaceful purposes. His delegation noted with concern the restrictions which had been placed on the export of nuclear technology and equipment necessary for the development of non-nuclear-weapon States, thereby violating their rights under article IV of the Treaty.

49. At the regional level, continued support to achieve universality of the Treaty was essential. The States members of the League had sponsored resolutions on the establishment of a nuclear-weapon-free zone in the Middle East in a number of international forums, including the United Nations and IAEA. A standing committee should be established in the Conference on Disarmament with the mandate to negotiate an effective, universal, unconditional and legally binding instrument on security assurances to

non-nuclear-weapon States. The League called on the international community to refrain from transferring equipment, materials and scientific and technological information to Israel so long as it was not a party to the NPT or subject to IAEA safeguards. All Arab States supported the objective of establishing a region free from weapons of mass destruction, including nuclear weapons. The international community should make every effort to help them to achieve that goal, which would promote greater peace and security in the region and the world.

50. **Mr. Owade** (Kenya), affirming his Government's commitment to nuclear disarmament and non-proliferation, said that Kenya had been among the first countries to sign and ratify the NPT. The non-nuclear-weapon States had given up their sovereign right to receive, manufacture or otherwise acquire nuclear weapons on the understanding that there would be a corresponding commitment by nuclear-weapon States to disarm. Regrettably, the nuclear-weapon States had backtracked on their commitment. Unless there was complete nuclear disarmament, the use or proliferation of nuclear weapons would remain a threat.

51. His delegation supported the 13-step approach to the implementation of article VI of the NPT adopted by the 2000 Conference. Such an approach presented a comprehensive road map to a nuclear-weapon-free world. There was a need for legally binding security assurances to non-nuclear-weapon States. The African Group had advocated multilateral negotiations on a convention prohibiting the development, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and calling for their total elimination. Nuclear non-proliferation, nuclear disarmament and peaceful use of nuclear energy should be given equal treatment. Non-proliferation requirements should be balanced by comparable commitments to nuclear disarmament in accordance with article VI of the NPT.

52. His delegation welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. It noted with concern, however, that the Conference on Disarmament was still unable to agree on an agenda for nuclear disarmament. His delegation urged the Conference to start negotiations on a fissile material cut-off treaty, which would serve as both a disarmament and non-proliferation tool. The establishment of a subsidiary body within the Conference to begin negotiations on a non-discriminatory, multilateral treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices would strengthen controls over nuclear material.

53. The international community must work towards universal adherence to disarmament and non-proliferation instruments. His delegation urged States that were not parties to the Treaty, especially those with nuclear capability or possessing nuclear weapons, to join the NPT. The entry into force of the CTBT would give impetus to the nuclear disarmament process. Kenya was contributing to the international monitoring regime by hosting two international monitoring stations, which were networked with 321 other such stations worldwide under the auspices of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization. His Government had ratified the CTBT in 2000 and urged States that had not yet ratified it, especially those listed in annex 2 to the Protocol, to do so in order to expedite the Treaty's entry into force.

54. No State party to the NPT should be unduly limited in the exercise of its right to the peaceful use of nuclear energy. An effective and non-discriminatory safeguards system could eliminate the risk of diversion of nuclear materials intended for peaceful use. The 2000 Conference had recognized the need to give preferential treatment to developing countries in all activities designed to promote peaceful uses of nuclear energy. For a developing country such as Kenya, access to nuclear technology was vital and must be made available in a guaranteed and predictable manner.

55. Nuclear-weapon-free zones contributed significantly to the promotion of nuclear non-proliferation. The Pelindaba Treaty, to which Kenya was a signatory, was a symbol of Africa's commitment to nuclear disarmament and non-proliferation. His delegation encouraged regions that had not established nuclear-weapon-free zones to do so in accordance with the declaration adopted at the recent conference in Mexico.

56. Illicit trafficking in nuclear materials in a number of developing countries was a matter of growing concern. Most developing countries could not afford the detection and monitoring equipment for carrying out surveillance at their border entry points. His delegation therefore called for strengthened technical cooperation to assist developing countries in

monitoring nuclear materials and for the establishment of strict controls to regulate nuclear waste disposal activities.

57. All Member States should demonstrate the necessary flexibility to overcome current challenges, since the international community owed it to future generations to bequeath to them a nuclear-free world.

58. **The President**, referring to rule 44, paragraph 1 (b), of the rules of procedure, said that a request for observer status had been received from Palestine. He took it that the Conference wished to accede to that request.

59. *It was so decided.*

The meeting rose at 12.10 p.m.